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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,786	03/15/2001	William D. Heavlin	F0019	5620
7590	02/03/2005		EXAMINER	
Wagner, Murabito & Hao LLP Two North Market Street Third Floor San Jose, CA 95113			SHAAWAT, MUSSA	
			ART UNIT	PAPER NUMBER
			2128	

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

20050125

DATE MAILED:

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Commissioner for Patents

Enclosed is a notice of Non-Responsive Amendment having a one-month reply period.

### NOTICE OF NON-RESPONSIVE AMENDMENT

1. This communication is in response to Applicants' Amendment mailed on November 01, 2004. Claim 2 is canceled; claims 1, and 3-15 were amended and are pending.
  
2. The Amendment mailed on November 01, 2004 is not fully responsive to the First Office Action on the Merits, because of the following omission(s) or matter(s):

The Amendment adds new claims 9-15 but the "Remarks" appearing on pages 7-10 contain no attempt to point out the patentable novelty of the newly-added claims. See MPEP §§ 714.04 and 714.02, and 37 CFR 1.111(b), which states in-part (emphasis added):

In order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. **The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references.**

3. Since the above-mentioned Amendment appears to be *bona fide*, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mussa A Shaawat whose telephone number is (571) 272-3785.

The examiner can normally be reached on Monday-Friday (8:30am to 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean R Homere can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mussa Shaawat  
Patent Examiner  
January 25, 2005

JEAN R HOMERE  
PRIMARY EXAMINER